

Serial No. 10/643,078

Docket No.: 122.1563

REMARKS

In accordance with the foregoing, claim 1 has been amended substantially as the Examiner suggested, in Item 4 of the Action, and further in accordance with a telephone conference of the undersigned with the Examiner on August 28, 2006 to overcome the rejections under 35 U.S.C. §112, 2nd paragraph and, thus, placing the application in condition for allowance. No new matter is presented and, accordingly, approval and entry of the foregoing is respectfully submitted.

STATUS OF CLAIMS

Claims 1-4 are rejected.

Claims 1-4 are pending and under consideration.

CONCLUSION

It is respectfully submitted that the foregoing demonstrates that the rejected claims 1-4 clearly, patentably distinguish over the art and rejections of record and are in condition for allowance. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: August 31, 2006

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to: Commissioner for Trademarks

STAAS & HALSEY LLP

By: 

Date: 8-31-06